



October 1, 2004

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**EX PARTE – VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

Re: CC Docket No. 01-338  
Notice of Oral and Written Ex Parte Presentation

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this will provide notice that on September 30, 2004, John Nakahata (Harris, Wiltshire and Grannis), Lisa Youngers (GCI), and I met with Michelle Carey, Jeremy Miller, Gail Cohen, Ian Dillner, Russ Hanser, Marcus Maher, Carol Simpson, and Jim Stelzig, all of the Wireline Competition Bureau.

GCI is a facilities-based, UNE-L CLEC that has encountered impediments to loop access for lines served by non-multihostable integrated DLCs. As set forth in the attached documents, GCI requested that the Commission specify that access to the unbundled loop in combination with local switching and related signaling, and common transport is among the options for an ILEC to meet its obligation to provide a competitive local exchange carrier unbundled access to a voice-grade loop, as required by paragraphs 296-97 of the *Triennial Review Order*. In addition, the obligation to provide access to the unbundled loop is only met to the extent that such access is afforded *in the ILEC central office*. That is, requiring CLEC collocation at the DLC or remote device is access to the subloop, and does not satisfy the loop unbundling obligation. The percentage of lines that GCI serves via UNE-P in each of the Fairbanks (26%) and Juneau (47%) markets, correlates with the percentage of loops that are inaccessible at the ILEC central office due to IDLC or remote provisioning.

GCI also noted that its experience in the state *TRO* proceeding supported the Commission's finding of impairment for DS1 loops, for which element the ILEC did not even challenge impairment.

Sincerely,

/s/

Tina M. Pidgeon  
Vice President, Federal Regulatory Affairs

Ms. Marlene H. Dortch  
October 1, 2004  
Page 2 of 2

Attachments

cc: Michelle Carey  
Jeremy Miller  
Gail Cohen  
Ian Dillner  
Russell Hanser  
Marcus Maher  
Carol Simpson  
Jim Stelzig